

Appl. No. 09/673,707  
Amdt. dated October 12, 2004  
Reply to Office Action of September 15, 2004

PATENT

### REMARKS/ARGUMENTS

#### **I. Status of the Claims**

Claims 1-11, 52-58, and 68-78 are pending. Claims 12-18 and 25-51 have been canceled. Claims 59-67 and 79-103 have been withdrawn from examination.

#### **II. The Amendments Herein**

The amendments herein add no new matter.

The amendments to claims 1 and 52 add a recitation that the binding specificity of the antibody is to the CD4-binding site of gp120. The recitation is supported throughout the specification, including page 12, lines 25-32. A recitation has also been added to claims 1 and 52 to clarify that the binding affinity is to gp120, as helpfully suggested by the Examiner. Support for the amendment is found throughout the specification, including page 32, lines 8-17 and Table 1. The amendment to claim 57 clarifies the claim, as helpfully suggested by the Examiner.

#### **III. The Office Action**

The Notice of Non-Compliant Amendment indicates that the Applicants' amendment of May 4, 2004, was not in strict compliance with 37 C.F.R. § 1.121 as revised because the status identifiers were predicated on entry of the amendments made in the Applicants' Amendment dated December 9, 2003, which were not in fact entered. The present amendment provides a fresh listing of the claims, which does not assume entry of the December 9 Amendment.

Applicants respectfully submit that the status identifiers for the claims are now fully in compliance with §1.121 as revised.

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**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, he is invited to telephone the undersigned at 415-576-0200.

Respectfully submitted,

  
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